IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

COMPANY PETITION NO.992 OF 1998

Rajendra Chinubhai Shah ..Petitioner.

Vs.

New Italian Textile Processors Pvt. Ltd. ..Respondent.

....

Mr. C.D. Patel i/b A.D. Jain for the Petitioner.
None for the Respondent.

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CORAM: **DR. D.Y. CHANDRACHUD, J.**

16th June, 2007.

P.C. :

1. The claim in the Company Petition for winding up is in respect of goods sold, supplied and delivered. By a letter dated 24th October, 1997 the company acknowledged that on 30th April, 1997 an amount of Rs.3,04,221/- was due and payable. A statutory notice dated 19th August, 1998 was issued to the company to which there was no reply.

The company has failed to appear either at the stage of admission or final hearing. An affidavit of publication of the hearing of

the Petition has been filed.

2. From the facts narrated herein above it is evident that the company has a debt due and payable to the Petitioner which it is unable to pay. The Company Petition is accordingly made absolute in terms of prayer clauses (a) and (b).